

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

UNITED STATES OF AMERICA	)	
	)	Case No. 1:19-cr-116-2
v.	)	
	)	Judge Travis R. McDonough
DAISY MARIE CHITWOOD	)	
	)	Magistrate Judge Christopher H. Steger
	)	

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**ORDER**

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U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 59) recommending that the Court: (1) grant Defendant's motion to withdraw her not-guilty plea to Count Six and a lesser-included offense of Count One of the six-count Indictment; (2) accept Defendant's guilty plea to Count Six and a lesser-included offense of Count One of the six-count Indictment; (3) adjudicate Defendant guilty of a lesser-included offense of Count One—conspiracy to distribute and possess with intent to distribute 5 grams or more of methamphetamine (actual) and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B) and 846, and Count 6—possession with intent to distribute 5 grams or more of methamphetamine (actual) and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B), and 18 U.S.C. § 2; and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's

report and recommendation (Doc. 59) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw her not-guilty plea to Count Six and a lesser-included offense of Count One of the six-count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count Six and a lesser-included offense of Count One of the six-count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of a lesser-included offense of Count One—conspiracy to distribute and possess with intent to distribute 5 grams or more of methamphetamine (actual) and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B) and 846, and Count 6—possession with intent to distribute 5 grams or more of methamphetamine (actual) and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B), and 18 U.S.C. § 2; and
4. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place before the undersigned on **May 15, 2020, at 9:00 a.m.**

**SO ORDERED.**

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH**  
**UNITED STATES DISTRICT JUDGE**